

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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CHANG HWA COMMERCIAL BANK LTD.,  
NEW YORK BRANCH,  
Plaintiff,

Civil Case No. 13 CV 8892

v.

MARVIN TIEN,  
Defendants.

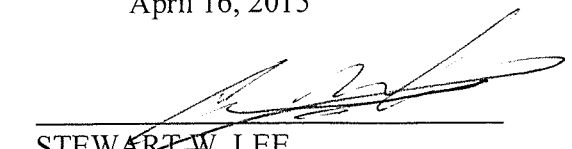
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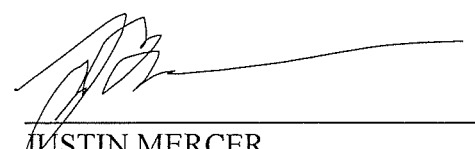
**STIPULATION AND ORDER OF VOLUNTARY DISMISSAL**

IT IS HEREBY STIPULATED AND AGREED by and between the parties through their respective counsels that the above-captioned action is voluntarily dismissed against Defendant Marvin Tien without prejudice and without costs pursuant to the Federal Rules of Civil Procedures 41(a)(1)(A)(ii); and

IT IS HEREBY FURTHER STIPULATED AND AGREED by said parties that plaintiff Chang Hwa Commercial Bank Ltd., New York Branch, shall have the right to reopen and restore the subject action in the event of a default under the Settlement Agreement and Order; and the Court retains jurisdiction of the parties, this action, and the enforcement of the terms and conditions set forth in the Settlement Agreement and Order.

Dated: New York, New York  
April 16, 2015

  
\_\_\_\_\_  
STEWART W. LEE  
Gottesman, Wolgel, Flynn,  
Weinberg & Lee, P.C.  
*Attorneys for Plaintiff*  
*Chang Hwa Commercial Bank Co., Ltd.*

  
\_\_\_\_\_  
JUSTIN MERCER  
Lewis & Lin, LLC  
*Attorneys for Defendant*  
*Marvin Tien*  
45 Main Street, Suite 608

*New York Branch*  
11 Hanover Square, 4<sup>th</sup> Floor  
New York, New York 10005  
Tel.: (212) 495-0100  
E-Mail: [slee@gottesmanlaw.com](mailto:slee@gottesmanlaw.com)

Brooklyn, New York 11201  
Tel.: (718) 243-9323  
E-Mail: [justin@ilawco.com](mailto:justin@ilawco.com)

**SO ORDERED**

On this \_\_\_\_\_ day of \_\_\_\_\_, 2015

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**DISTRICT JUDGE DEBORAH A. BATTS**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

CHANG HWA COMMERCIAL BANK LTD.  
NEW YORK BRANCH,

Plaintiff

- against -

MARVIN TIEN,

Defendant.

ORIGINAL

STIPULATION AND ORDER OF DISMISSAL

GOTTESMAN, WOLGEL, FLYNN, WEINBERG & LEE, P.C.

A Professional Corporation Incorporated in the State of New York

Attorneys for Plaintiff Chang Hwa Commercial Bank, New York Branch

11 HANOVER SQUARE  
NEW YORK, N.Y. 10005  
TEL. NO. (212) 495-0100  
FAX NO. (212) 480-9797

Pursuant to 22 NYCRR 130-1.1-a, the undersigned, an attorney admitted to practice in the courts of New York State, certifies that, upon information and belief and reasonable inquiry, (1) the contentions contained in the annexed document are not frivolous and that (2) if the annexed document is an initiating pleading, (i) the matter was not obtained through illegal conduct, or that if it was, the attorney or other persons responsible for the illegal conduct are not participating in the matter or sharing in any fee earned therefrom and that (ii) if the matter involves potential claims for personal injury or wrongful death, the matter was not obtained in violation of 22 NYCRR 1200.41-a.

Dated: ..... Signature .....

Print Signer's Name.....

Service of a copy of the within ..... is hereby admitted.

Dated: .....

Attorney(s) for .....

PLEASE TAKE NOTICE

Check Applicable Box

☐ that the within is a (certified) true copy of a  
NOTICE OF entered in the office of the clerk of the within-named Court on 20  
ENTRY

☐ that an Order of which the within is a true copy will be presented for settlement to the  
NOTICE OF Hon. ...., one of the judges of the within-named Court,  
SETTLEMENT at  
on 20, at M.

Dated: .....

GOTTESMAN, WOLGEL, FLYNN, WEINBERG & LEE, P.C.

A Professional Corporation Incorporated in the State of New York

Attorneys for

To:

11 HANOVER SQUARE  
NEW YORK, N.Y. 10005  
TEL. NO. (212) 495-0100  
FAX NO. (212) 480-9797